

NO. 17945

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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STATE OF HAWAI'I,  
Plaintiff-Appellee-Respondent,

vs.

GERALD D'ARGIS,  
Defendant-Appellant-Petitioner.

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CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS  
(CR. NO. 9309226(2))

ORDER DENYING APPLICATION FOR WRIT OF CERTIORARI  
(By: Levinson, J., for the court<sup>1</sup>)

Upon consideration of the application for a writ of certiorari filed on December 16, 2002 by the defendant-appellant-petitioner Gerald D'Argis, it appears that the notice and judgment on appeal was filed on January 29, 1997, and the application for writ of certiorari filed on December 16, 2002 is untimely. Therefore,

IT IS HEREBY ORDERED that the defendant-appellant-petitioner's application for writ of certiorari is denied.

DATED: Honolulu, Hawai'i, December 26, 2002.

FOR THE COURT:

STEVEN H. LEVINSON  
Associate Justice

Gerald D'Argis, pro se,  
on the writ

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<sup>1</sup> Considered by: Moon, C.J., Levinson, Nakayama, Ramil, and Acoba, JJ.